

**Idaho Criminal Justice Commission**  
**Regular Meeting**  
January 29, 2021

**Location:** [Zoom](#)

**Time:** 8 a.m.–12 p.m.

**Idaho Criminal Justice Commission Members Present:**

Eric Fredericksen, Chair, SAPD	Todd Lakey, Senate Judiciary & Rules
Dan Hall, Vice Chair, Chiefs of Police Association	Bart Davis, U.S. Attorney, District of Idaho
Ashley Dowell, Comm of Pardons & Parole	Colleen Zahn, Idaho Attorney General's Office
Kedrick Wills, Idaho State Police	Darren Simpson, Judge, District Court
Lisa Bostaph, Public Member	Greg Chaney, House Jud, Rules & Admin
Thomas Sullivan, Judge, District Court	Jared Larsen, Office of the Governor
James Cawthon, Judge, District Court	Denton Darrington, Public Member

Marianne King, Office of Drug Policy  
Monty Prow, IDJC  
Darrell Bolz, Public Defense Commission  
Grant Loeb, Prosecuting Attorneys Assoc.  
Eric Studebaker, Department of Education

Comprising a quorum of Idaho Criminal Justice Commission (Commission)

**Idaho Criminal Justice Commission Members Absent:**

Dave Jeppesen, Health & Welfare  
Grant Burgoyne, Senate Judiciary & Rules  
Margie Gonzalez, Comm. on Hispanic Affairs  
Sara Omundson, Idaho Supreme Court  
Seth Grigg, Idaho Association of Counties  
Josh Tewalt, Department of Correction

**Others Present:**

Lymarís Ortiz Perez  
Dan Chadwick  
Kathleen Elliott

<b>Agenda</b> <b><i>Who's Responsible</i></b>		Meeting Outcomes/Decisions Reached	Due Date
8:00 am (10 min)	Call to Order– <i>Chair Eric Fredericksen</i> <ul style="list-style-type: none"> <li>• Welcome and Roll Call— <i>Chair Eric Fredericksen</i></li> <li>• Review Commission's Vision and Mission Statement and Values—<i>Commission Members</i></li> </ul>		
	<b>Commission Management</b>		
8:10 am (20 min)	<b>Action Item</b> – Approve December 2020 Minutes  <b>Action Item</b> – New Vice Chair  <u>Subcommittee Reports</u> <ul style="list-style-type: none"> <li>• Human Trafficking</li> <li>• Mental Health</li> <li>• Research Alliance</li> <li>• Sex Offense</li> </ul>	<p>There was a motion to approve the minutes from December 2020 with an amendment to change “August” to “November” in the minute motion by Lisa Bostaph, Dan Hall seconded. Motion carried.</p> <p>Sara Omundson stated that it has always been the intent that the vice chair is from local government and nominated Dan Hall, Ashley Dowell seconded. Motion carried.</p> <p>Human trafficking is still working on the pilot screening process and is hoping to have something to present in the spring.</p> <p>Research alliance meets every other month. They will be updating the ICJC dashboard and will be supporting the data store room. The subcommittee will need help matching records.</p> <p>Question: Does the data warehouse need to be kept in a subcommittee? Ashley Dowell mentioned that it could be possible that the CDJID take this over but will need to talk to the SCO.</p>	
	<b>Promote Well-Informed Policy Decisions</b>		
8:30 am (25 min)	Idaho Public Defense Commission – <i>Kathleen Elliott, executive director</i>	<p>Milestone – It is the 54<sup>th</sup> year that counties have been called upon to do PD</p> <p>In October, the PDC adopted and approved the pending rules and continue to engage our stakeholders.</p> <p>The next step is compliance. The PDC has hired a data analyst and this has been a great help. The PDC has funded over \$37M to counties. Online forms are being developed for ease of reporting. This will help to be more efficient and effective.</p> <p>The lawsuit is in the supreme Court and waiting for their opinion.</p>	

		<p>The PDC is working on training to help improve the system. They are currently signing up individuals for a three-day seminar. It is very comprehensive and is the largest CLE in the nation. The PDC was going to have a public defense college but it was cancelled due to COVID. This will be done virtually this year. There will be Idaho and national trainers.</p> <p>Because of COVID the PDC staff started working at home in March. This has strengthened the staff within the office.</p> <p>If the legislature doesn't act on the rules, the standards will expire in 2022. There has been a request that they be extended to 2023. If they expire, Idaho standards will move to the nation standards that are more stringent than the Idaho standards.</p>	
8:45 am (25 min)	Victimization and Victim Services Report – <i>Lisa Bostaph</i>	<p>There are 4 reports out. They are on the Boise State Criminal Justice website: <a href="https://www.boisestate.edu/sps-criminaljustice/biennial-report/">https://www.boisestate.edu/sps-criminaljustice/biennial-report/</a> We will also have a series of dashboards.</p> <p>This report is a partnership between BSU and Idaho Council on Domestic Violence and Victim Assistance.</p> <p>There will be two series of 4 reports: victim services agency survey, crime victim survey, SAKI impact evaluation, and emerging issues in victimization and victim services.</p> <p><u>Impact of the Clarke decision release in August:</u> Some of the impacts are the response to victims, an increase in victims seeking civil protection orders, and the encouragement from officers to victims to leave situations despite many issues that may arise. This is being seen as a result of the inability for officers to remove suspects from the scene of an incident.</p> <p>We are reviewing trends in the impacts to victims, such as victims feeling reluctant to contact LE because of the decision.</p>	

		<p>We had 22 focus groups across the state. The immediate reaction to the Clarke decision stats. 82% of agencies expressed immediate concern for victim safety and 77% of agencies reported feeling shocked and confused. 55% of agencies reported an immediate worry about how to respond to domestic violence calls.</p> <p>Victim services agencies stats: 63% of victim service agencies reported increase time explaining to victims the police response, 89% of victim services agencies reported difficulty in contacting of accessing victims to offer services due to safety concerns for the victim if the offender is still present, and 75% of victim services agencies reported an increase in civil protection order assistance.</p> <p>There were 14 recommendations such as:</p> <p>#5 There is a need to invest in basic victim services training. With turnover, there needs to be a consistent place for training. This also services as a venue for LE officers to also receive ongoing training on victimization.</p> <p>#9 The need to institute a telephonic and electronic emergency civil protection orders. This has been an innovative way to help move faster in the process, especially in a COVID world.</p> <p><u>Idaho crime victim services provider survey released in December 2020:</u></p> <p>Online survey</p> <p>Participants:</p> <p>Survey response rate is 35%. We want to increase that. We are concerned that our providers/professionals are feeling overwhelmed by surveys and are considering an annual report to reduce the number of surveys. The distribution of response rate as the rate will be reviewed as well.</p> <p>There are 10 counties that are served by only three agencies that service the entire state. This could be a problem because they don't know the characteristics of every part of the state.</p>	
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		<p>Recommendations:</p> <p>Amend <a href="#">39-6316</a>, Idaho Code, to require LE to put victims in touch with services. In areas where there aren't services, officers would give hotline information to the victim. Just like the other surveys, training needs to be increased for all policing professionals. It would be noted that there should be increased training in specialized areas such as the neurobiological effect of trauma, rape myths, societal stigma faced by sexual violence victim, and active strategies they can use in their responses.</p> <p><u>Idaho Crime victim survey released January 2021:</u></p> <p>In process right now. Online survey.</p> <p>VOCA has mandated that the survey has to be handed to every victim. We have a limited number of responses. This survey will go through 2023. We are watching the demographics of responses and all responses thus far are from women. Crime types and victim to perpetrator relationships are also being watched.</p> <p>Results:</p> <p>66% of responses reported crime to the police. The top reason for not reporting was that they don't want to get the offender in trouble, they were afraid, and that they don't have confidence in the criminal justice system.</p> <p>61% said they would report to the police again, 11% said no, and 27% were not sure. Sometimes this is the only option for a victim to stop an assault. The most helpful and least helpful services are provided in the report. The victims felt they were mostly treated with respect and most felt their needs were met. It is hard to know if the needs are really being met.</p> <p>Recommendations:</p> <p>The two main recommendations from this survey are that it needs to continue being shared with victims, and there needs to be funding for the administration of a statewide victimization survey in Idaho using the reliable and successful design of nation survey. The only way to get the true victimization in Idaho, we need to replicate that study for Idaho.</p>	
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9:15 am (30 min)	Review of <a href="#">67-2915</a> , Statistical Report of Malicious Harassment Crime – <i>Col. Wills, ISP; Jared Larson, Office of the Governor</i>	<p>This came up in some discussions. 67-2915 requires all LE to report to ISP about crime of malicious harassment. It is unknown how long this has been in place but it appears that it hasn't been happening.</p> <p>To ISP's knowledge, this hasn't been reported in the last 20-30 years. This information appears to be compiled through different means in the crime in Idaho report. It is felt that this separate law is unnecessary as this data is in the crime in Idaho report. All of the data is on the ISP website.</p> <p>Jared Larsen is looking for a recommendation on how to proceed with this section of law. The commission should take this under advisement and possibly make a recommendation.</p>	

		<p>US Attorney Davis was there for two of the amendments of this statute and is not concerned that the LE agencies haven't been reporting because it says that director will submit it annual, not necessarily by a certain date and maybe a link to the report would satisfy the law.</p> <p>Lisa Bostaph believes that the agencies are reporting to NIBERS and all the data is there and is adhering to the law. So is the law necessary? It may not be needed because the data is being collected elsewhere.</p> <p>The Attorney General's office has a similar report that is required to be sent to the Governor and has had the same question to determine whether this specific law is necessary. Could the commission review all the reports to see if they are all necessary?</p> <p>Jared Larsen would like the commission to review all the reports that are required and the statutory requirements and look to consolidate.</p> <p>Lisa Bostaph mentioned that this is something the research alliance subcommittee could do.</p> <p><b>**Will place on the February agenda for action.**</b></p> <p>Jared Larsen will review the minutes from the past amendments.</p>	
9:45 am (15 min)	Other ICJC Business – Evaluate Subcommittees –		
10:00 am	Adjournment		

Next regularly scheduled meeting to be held in Boise, Friday, February 26, 2021

## **“Collaborating for a Safer Idaho”**